

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DONALD BEASLEY, Individually And
On Behalf of All Others Similarly Situated,

Plaintiff,

vs.

TELETECH HOLDINGS, INC., KENNETH D.
TUCHMAN, JOHN R. TROKA, RUTH C.
LIPPER, SHIRLEY YOUNG, WILLIAM A.
LINNENBRINGER, JAMES E. BARLETT,
SHRIKANT MEHTA, CITIGROUP GLOBAL
MARKETS INC., MORGAN STANLEY & CO.,
INC, and ERNST & YOUNG, LLP,

Defendants.

CASE NUMBER: 08-CV-00913

JUDGE LAURA TAYLOR SWAIN

WILLIAM BROWN, Individually And
On Behalf of All Others Similarly Situated,)
Plaintiff,)
vs.)
TELETECH HOLDINGS, INC., KENNETH D.)
TUCHMAN, JOHN R. TROKA, RUTH C.)
LIPPER, SHIRLEY YOUNG, WILLIAM A.)
LINNENBRINGER, JAMES E. BARLETT,)
SHRIKANT MEHTA, CITIGROUP GLOBAL)
MARKETS INC., MORGAN STANLEY & CO.,)
INC, MERRILL LYNCH & CO., CREDIT)
SUISSE and ERNST & YOUNG, LLP,)
Defendants.)

CASE NUMBER: 08-CV-01842

JUDGE LAURA TAYLOR SWAIN

DECLARATION OF KIM E. MILLER IN SUPPORT OF THE MOTION OF DONALD BEASLEY AND PAPRAJ SUDHAKAR TO CONSOLIDATE RELATED ACTIONS; TO BE APPOINTED LEAD PLAINTIFFS; AND TO APPROVE PROPOSED LEAD PLAINTIFFS' CHOICE OF COUNSEL

I, Kim E. Miller, hereby declare as follows:

1. I am member of the law firm of Kahn Gauthier Swick, LLC.

2. Movants seek appointment as Lead Plaintiffs pursuant to Section 21D of the Securities Exchange Act of 1934 and 27(a) of the Securities Act of 1933 in the above-captioned actions.

3. I submit this Declaration, together with the attached exhibits, in support of the Motion of Donald Beasley and Papraj Sudhakar, to appoint them to serve as Lead Plaintiffs on behalf of the Class and to approve Movants' choice of Kahn Gauthier Swick, LLC, as Lead Counsel. I am fully familiar with the facts set forth herein.

4. Attached hereto as Exhibit A are true and correct copies of sworn shareholder certifications of Donald Beasley and Papraj Sudhakar, as well as a true and correct copy of a table reflecting the calculated losses incurred by Movants as a result of their transactions in TeleTech Holdings, Inc. securities.

5. Attached hereto as Exhibit B is a true and correct copy of the press release published on January 25, 2008, on *Prime Newswire*, a well-known, national business-oriented publication, announcing the pendency of the lawsuit commenced by Donald Beasley, against defendants herein.

6. Attached hereto as Exhibit C is a true and correct copy of the firm resume of Kahn Gauthier Swick, LLC.

I declare under penalty of perjury under the laws of the state of New York that the foregoing facts are true and correct. Executed this 25th day of March, 2008, at New York, New York.

/s/ Kim E. Miller
Kim E. Miller

CERTIFICATION IN SUPPORT OF APPLICATION FOR LEAD PLAINTIFF

Donald R. Beasley (name) ("plaintiff") declares, as to the claims asserted under the federal securities law, that:

1. Plaintiff has fully reviewed the facts of the complaint(s) filed in this action alleging violations of the securities laws and plaintiff is willing to serve as a lead plaintiff in this case and all other related cases that may be consolidated with it.
2. Plaintiff did not purchase securities of TeleTech Holdings, Inc., at the direction of counsel or in order to participate in a private action under the federal securities laws.
3. Plaintiff is willing to serve as a representative party on behalf of a class, including providing testimony at deposition and trial, if necessary.
4. During the Class Period, plaintiff has executed transactions in the securities of TeleTech Holdings, Inc. as follows. See Attached Schedule.
5. In the last three years, plaintiff has not sought to serve as a representative party on behalf of a class in an action filed under the federal securities laws, except as indicated herein.
6. Plaintiff will not accept payment for serving as a lead plaintiff beyond its pro rata share of any recovery, except such reasonable costs and expenses (including lost wages) directly relating to the representation of the Class as ordered or approved by the Court.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: 01-24-1, 2008

Donald R. Beasley

Plaintiff

Name of plaintiff: Donald R. BERSLEY
Schedule of plaintiff's Transaction(s) in
TeleTech Holdings, Inc.

Purchase(s):

<u>Date</u>	<u>Units</u>	<u>Price</u>
04-05-07	1000	39.50
04-30-07	2000	38.75

Sale(s):

<u>Date</u>	<u>Units</u>	<u>Price</u>
08/22/07	2623	31.00
08/22/07	377	30.6401

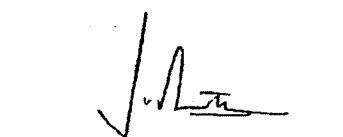
CERTIFICATION IN SUPPORT OF APPLICATION FOR LEAD PLAINTIFF

PAPRAJ SUDHAKAR (name) ("plaintiff") declares, as to the claims asserted under the federal securities law, that:

1. Plaintiff has fully reviewed the facts of the complaint(s) filed in this action alleging violations of the securities laws and plaintiff is willing to serve as a lead plaintiff in this case and all other related cases that may be consolidated with it.
2. Plaintiff did not purchase securities of TeleTech Holdings Inc. at the direction of counsel or in order to participate in a private action under the federal securities laws.
3. Plaintiff is willing to serve as a representative party on behalf of a class, including providing testimony at deposition and trial, if necessary.
4. During the Class Period, plaintiff has executed transactions in the securities of TeleTech Holdings Inc. as follows. See Attached Schedule.
5. In the last three years, plaintiff has not sought to serve as a representative party on behalf of a class in an action filed under the federal securities laws, except as indicated herein.
6. Plaintiff will not accept payment for serving as a lead plaintiff beyond its pro rata share of any recovery, except such reasonable costs and expenses (including lost wages) directly relating to the representation of the Class as ordered or approved by the Court.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: March 15, 2008



Plaintiff

Mar 16 08 09:03a

SUDHAKAR

P.2

TRADEFREEDOM SECURITIES INC.
2001, MCGILL COLLEGE
SUITE 1310
MONTREAL QC H3A 1G1

DR. PAPRAJ SUDHAKAR

TRADING SUMMARY - 2007

Reference

Your Investment Advisor
TRADEFREEDOM

Telephone
(514)344-5132

YOUR US ACCOUNT

DATE	BUY	SELL	SECURITY DESCRIPTION	PRICE	COST	PROCEEDS
FEB 23		101	TELETECH HOLDING INC	33.060		3328.49
MAR 01	100		TELETECH HOLDING INC	32.510	3261.45	
MAR 02	100		TELETECH HOLDING INC	32.010	3211.45	
MAR 08		200	TELETECH HOLDING INC	34.685		
MAR 15	200		TELETECH HOLDING INC	36.260	7263.95	
MAR 16	100		TELETECH HOLDING INC	35.000	3510.45	
MAR 27		100	TELETECH HOLDING INC	35.400		3529.49
APR 02		200	TELETECH HOLDING INC	36.045		7196.93
APR 03	101		TELETECH HOLDING INC	35.510	3596.97	
APR 03		100	TELETECH HOLDING INC	36.600		3649.49
APR 04	100		TELETECH HOLDING INC	37.000	3710.45	
APR 09		100	TELETECH HOLDING INC	38.000		3789.49
APR 24	100		TELETECH HOLDING INC	37.770	3787.45	
MAY 04	101		TELETECH HOLDING INC	38.280	3876.74	
MAY 17	201		TELETECH HOLDING INC	34.069	6859.99	
MAY 21	100		TELETECH HOLDING INC	32.730	3283.45	
JUN 29		52	TELETECH HOLDING INC	31.360		1620.49
JUL 25	150		TELETECH HOLDING INC	30.480	4582.70	
AUG 09	100		TELETECH HOLDING INC	29.377	2948.19	
AUG 16		300	TELETECH HOLDING INC	33.995		10184.89
AUG 17	200		TELETECH HOLDING INC	34.614	6933.77	
AUG 20	200		TELETECH HOLDING INC	32.680	6547.95	
AUG 21		100	TELETECH HOLDING INC	30.340		3023.50
AUG 24		50	TELETECH HOLDING INC	30.350		1507.27
SEP 10	100		TELETECH HOLDING INC	27.300	2740.45	
SEP 14		51	TELETECH HOLDING INC	24.550		1241.82
SEP 20		99	TELETECH HOLDING INC	23.480		2314.03
OCT 05	65		TELETECH HOLDING INC	25.560	1671.68	
OCT 11		65	TELETECH HOLDING INC	24.910		1608.84
NOV 01	175		TELETECH HOLDING INC	24.491	4297.90	
NOV 07		50	TELETECH HOLDING INC	23.770		1178.28
NOV 08	160		TELETECH HOLDING INC	23.132	3712.95	
NOV 10		200	TELETECH HOLDING INC	23.961		4780.17

< Page 2 of 3 >

✓ *DR. Papraj Sudhakar* 15MB

DONALD BEASLEY and PAPRAJ SUDHAKAR LOSS CHART
TeleTech Holdings, Inc.

Donald Beasley

DATE	# SHARES BOUGHT	PRICE	COST
4/5/2007	1000	\$39.50	\$39,500.00
4/30/2007	2000	\$38.75	\$77,500.00
TOTAL BOUGHT:	3000		\$117,000.00
DATE	# SHARES SOLD	PRICE	COST
8/22/2007	2623	\$31.00	\$81,313.00
8/22/2007	377	\$30.64	\$11,551.28
TOTAL HELD:	0		\$92,864.28
TOTAL LOSS:			
\$24,135.72			

Papraj Sudhakar

DATE	# SHARES BOUGHT	PRICE	COST
3/1/2007	100	\$32.51	\$3,251.00
3/2/2007	100	\$32.01	\$3,201.00
3/15/2007	200	\$36.26	\$7,252.00
3/16/2007	100	\$35.00	\$3,500.00
4/3/2007	101	\$35.51	\$3,586.51
4/4/2007	100	\$37.00	\$3,700.00
4/24/2007	100	\$37.77	\$3,777.00
5/4/2007	101	\$38.28	\$3,866.28
5/17/2007	201	\$34.07	\$6,847.87
5/21/2007	100	\$32.73	\$3,273.00
6/25/2007	150	\$30.48	\$4,572.00
8/9/2007	100	\$29.38	\$2,937.70
8/17/2007	200	\$34.61	\$6,922.80
8/20/2007	200	\$32.68	\$6,536.00
9/10/2007	100	\$27.30	\$2,730.00
10/5/2007	65	\$25.56	\$1,661.40
11/1/2007	175	\$24.49	\$4,285.93
11/8/2007	160	\$23.13	\$3,701.12
TOTAL BOUGHT:	2353		\$75,601.60
DATE	# SHARES SOLD	PRICE	COST
2/23/07*	101*	\$33.06*	\$3,339.06*
3/8/2007	200	\$34.69	\$6,937.00
3/27/2007	100	\$35.40	\$3,540.00

DONALD BEASLEY and PAPRAJ SUDHAKAR LOSS CHART
TeleTech Holdings, Inc.

4/2/2007	200	\$36.05	\$7,209.00
4/3/2007	100	\$36.60	\$3,660.00
4/9/2007	100	\$38.00	\$3,800.00
6/29/2007	52	\$31.36	\$1,630.72
8/16/2007	300	\$34.00	\$10,198.50
8/21/2007	100	\$30.34	\$3,034.00
8/24/2007	50	\$30.35	\$1,517.50
9/14/2007	51	\$24.55	\$1,252.05
9/20/2007	99	\$23.48	\$2,324.52
10/11/2007	65	\$24.91	\$1,619.15
11/7/2007	50	\$23.77	\$1,188.50
11/8/2007	200	\$23.96	\$4,792.20
TOTAL SOLD:	1768		\$52,703.14
TOTAL HELD:	585	\$18.85	\$11,027.25
		TOTAL LOSS:	\$11,871.21

Price applied to
held shares as of
January 25, 2008:
\$18.85

*The shares sold on 2/23/07 relate to
pre-class period purchases and have
not been included in the total amount
sold.

TOTAL GROUP LOSS: \$36,006.93

Yahoo!My Yahoo!

Make Y! your home

Search:

[Sign In](#)New User? [Sign Up](#)[Finance Home](#) [Help](#)

- [Home](#) **HOME**
- [Investing](#) **INVESTING**
- [News & Opinion](#) **NEWS & OPINION**
- [Personal Finance](#) **PERSONAL FINANCE**
- [Tech Ticker](#) **TECH TICKER**

- Get Quotes
-
-

[Finance Search](#)**Press Release**

Source: Kahn Gauthier Swick, LLC

Investor Alert: KGS Announces the Initial Filing of Securities Class Action Lawsuit Against TeleTech Holdings, Inc. -- TTEC

Friday January 25, 11:09 pm ET

NEW ORLEANS, Jan. 25, 2008 (PRIME NEWSWIRE) -- Kahn Gauthier Swick, LLC ("KGS") has filed a class action lawsuit against TeleTech Holdings, Inc. ("TeleTech" or the "Company") (NasdaqGS:[TTEC](#) - [News](#)) in the United States District Court for the Southern District of New York, on behalf of shareholders who purchased the common stock of the Company between February 8, 2007 and November 8, 2007, inclusive (the "Class Period"). No class has yet been certified in this action.

UNLESS A CLASS IS CERTIFIED, YOU ARE NOT PERSONALLY REPRESENTED BY COUNSEL UNLESS YOU RETAIN AN ATTORNEY.

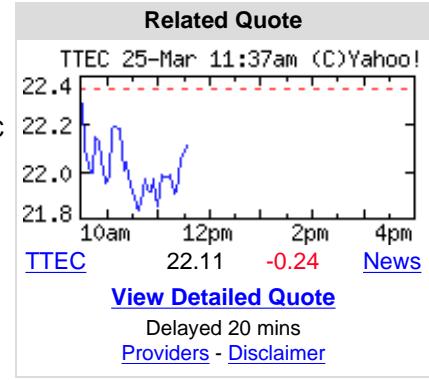
If you would like to discuss your legal rights, you may e-mail or call KGS Managing Partner Lewis Kahn, without obligation or cost to you, toll free 1-866-467-1400, ext. 100, via cell phone after hours at 504-301-7900, or by email at lewis.kahn@kgscounsel.com.

ADVERTISEMENT

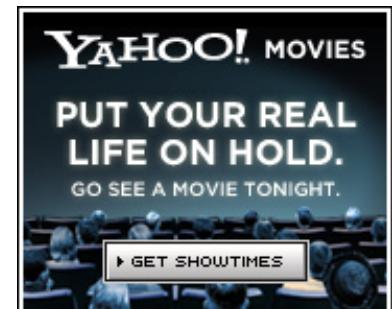
TeleTech and certain of the Company's officers and directors are charged with making a series of materially false and misleading statements related to the Company's business and operations in violation of the Securities Exchange Act of 1934 (the "Exchange Act"). In addition, defendants and its underwriters for the Company's March 30, 2007 Secondary Offering are charged with issuing a materially false and misleading Registration Statement and joint Proxy-Prospectus in violation of the Securities Act of 1933 (the "Securities Act").

On November 8, 2007, defendants shocked investors by announcing that TeleTech was conducting a "review of equity-based compensation practices and likely restatement of previous issued financial statements" would be required -- possibly as far back as 1999. At that time, investors learned that TeleTech would likely be forced to take millions of dollars in charges and reserves, and that the Company would be forced to restate almost a full decade of financial results to account for the Company's true employment costs, expenses, reserves, payroll taxes, fines and penalties.

Following this news, on November 9, 2007, shares of TeleTech fell from a prior day's closing price of \$22.61 per share, to an intra-day and 52-week trading low of \$18.76 per share -- an immediate decline of over 17%. That day, over 4.13 million shares traded as TeleTech shares fell to a mere half of the \$36.50 price at which defendant Kenneth Tuchman liquidated almost \$210 million of his personally held TeleTech shares at the end of March 2007.

**Related News Stories**

- [UPDATE - RESEARCH ALERT- Wachovia upgrades TeleTech Holdings](#) - at Reuters (Thu Mar 20)
- [TeleTech upgraded by Wachovia](#) - Briefing.com (Thu Mar 20)
- [TeleTech Signs Multiyear Agreement With Leading Global Automobile Manufacturer](#) - Marketwire (Tue Mar 18)
- [Gov't Awards \\$2.5B Call Center Contract](#) - AP (Mon Mar 17)
- By industry: [Business Services](#)

[More...](#)

Case 1:08-cv-00913-LTS Document 22-3 Filed 03/25/2008

If you wish to serve as lead plaintiff in this class action lawsuit, you must move the Court no later than March 25, 2008. Any member of the putative class may move the Court to serve as lead plaintiff through counsel of their choice, or may choose to do nothing and remain an absent class member. If you would like to discuss your legal rights, you may e-mail or call KGS Managing Partner Lewis Kahn, without obligation or cost to you, toll free 1-866-467-1400, ext. 100, after hours via cell phone 504-301-7900, or by email at [lewis.kahn@kgscounsel.com](mailto:kahn@kgscounsel.com). To learn more about KGS, you may visit <http://www.kgscounsel.com>. KGS focuses its practice on securities litigation, and has been appointed lead counsel in numerous federal securities cases.

SPECIAL NOTICE: While federal law does not prohibit other lawyers from ``announcing'' the filing of this class action through the issuance of other press releases, KGS is the law firm that researched, investigated, drafted and filed the securities fraud case against TeleTech. If you are a TeleTech shareholder who decides to contact one of these lawyers, KGS reminds you to interview any such lawyer to assure that he or she understands the facts surrounding the substantive claims alleged in the complaint KGS has filed with the Court. Factors bearing on a law firm's ability to successfully prosecute this action and obtain a recovery for you include its lawyers' knowledge of applicable federal securities laws, the resources it will dedicate to prosecution of the case (including the number of lawyers the firm has available to prosecute this action) and the quality of the firm's work.

More information on this and other class actions can be found on the Class Action Newsline at <http://www.primenewswire.com/ca>

Contact:

Kahn Gauthier Swick, LLC
 Lewis Kahn
 866-467-1400, ext. 100
 Lewis.kahn@kgscounsel.com

Source: Kahn Gauthier Swick, LLC

Page 2 of 2**Top Stories**

- [Consumer Confidence Plunges in March](#) - AP (11:13 am)
- [Stocks Retreat on More Recession Fears](#) - AP (11:25 am)
- [US Home Prices Drop 11.4 Pct in January](#) - AP (10:18 am)
- [Oil Slides Below \\$100 on Economic Woes](#) - AP (10:57 am)

[More...](#)

- [Most-viewed articles](#)

RSS Feeds

Add headlines to your personalized My Yahoo! Page
 ([About My Yahoo! and RSS](#))

TTEC Headlines

- [My Yahoo!](#)
- [RSS](#)

Business Services Headlines

- [My Yahoo!](#)
- [RSS](#)

[More Finance RSS Feeds](#)

[!\[\]\(cab4bf952ad41dda9681cfcbefe1a76e_img.jpg\) Email Story](#)

[!\[\]\(6bc4b343b861c616a5d1dab713eb3b6d_img.jpg\) Set News Alert](#)

[!\[\]\(276e638389c99b8d70cec5b1b95df546_img.jpg\) Print Story](#)

[!\[\]\(f0ab56cb9e4c776275eb0c6a56b07563_img.jpg\) Yahoo! Buzz](#)

Sponsor Results[Countrywide® Home Loans](#)

No Closing Cost Refi. No Points. No Credit Report or Processing Fees.
www.Countrywide.com

[Online Forex Trading with GFT](#)

Risk-Free Online Practice Account. Free One-on-One Training. Try Now.
www.GFTforex.com

[Earn From 3.04% to 3.35%](#)

With AAA rated, GE Capital Corp. Not an offer of securities for sale.
www.geinterestplus.com

[\(What's This?\)](#)

Copyright © 2008 Yahoo! Inc. All rights reserved. [Privacy Policy](#) - [Terms of Service](#) - [Copyright Policy](#) - [Send Feedback](#)

Copyright © 2008 [PrimeNewswire](#). All rights reserved. Redistribution of this content is expressly prohibited without prior written consent. PrimeNewswire makes no claims concerning the accuracy or validity of the information, and shall not be held liable for any errors, delays, omissions or use thereof.



Kahn Gauthier Swick, LLC (“KGS”) (www.kgscounsel.com) is a law firm with offices in New Orleans and New York City. KGS focuses predominantly on class action litigation, in the areas of securities and consumer fraud, shareholder derivative and other complex litigation. KGS was formed in 2000 as a partnership between established class action attorneys. Since its inception KGS has recovered tens of millions of dollars for its clients.

KGS’s lawyers have significant experience litigating complex securities cases. Among other cases the firm is involved in, KGS has been appointed to leadership roles in the following securities class action and derivative litigations:

Bodisen Biotech, Inc.
Co-Lead Counsel

S.D.N.Y.

Gaming Partners
Co-Lead Counsel

D. Nev.

In re BigBand Networks, Inc Securities Litigation
Co-Lead Counsel

C.D. Cal.

In re Optionable, Inc. Securities Litigation
Lead Counsel

S.D.N.Y.

In re Pegasus Wireless Corp. Securities Litigation
Lead Counsel

S.D. Fla.

In re Proquest Company Shareholder Derivative Litigation
Co-Lead Counsel

E.D.Mich.

In re U.S. Auto Parts Networks, Inc. Securities Litigation
Lead Counsel

C.D. Cal.

In re Witness Systems Inc. Securities Litigation
Co-Lead Counsel

N.D. Ga.

In re Xethanol Corporation Securities Litigation
Lead Counsel

S.D.N.Y.

In re Xinhua Finance Media, Ltd. Securities Litigation *S.D.N.Y.*
Co-Lead Counsel

Pixelplus Co. Ltd. *S.D.N.Y.*
Co-Lead Counsel

Terayon Comm. Systems Inc. *N.D. Cal.*
Co-Lead Counsel

Whitney Information Network *M.D. Fla.*
Lead Counsel

LAWYERS

Partners

Lewis S. Kahn

Lewis Kahn serves as the managing partner of KGS. Along with the representation of thousands of plaintiffs in mass tort cases and thousands of wronged investors in class actions throughout the United States, Mr. Kahn has been appointed to various leadership positions in federal class action litigation. Among other appointments, Mr. Kahn served as a member of the Plaintiffs' Steering Committee in MDL 1481, *In re Meridia Products Liability Litigation*, appointed by Judge James S. Gwin in the United States District Court for the Northern District of Ohio, Eastern District.

Mr. Kahn is often turned to by the media for expert commentary in the field of class action litigation. KGS has been profiled in the *New York Times*, *Washington Post*, *Boston Globe*, and many other media outlets. Mr. Kahn holds a Bachelor's degree from New York University and received a Juris Doctor from Tulane Law School in 1994. He has been a member in good standing of the Louisiana State Bar Association since 1995, and is a member of the Federal Bars for the Eastern, Middle and Western Districts of Louisiana.

Kim E. Miller

Kim E. Miller is a partner of Kahn Gauthier Swick, LLC, who specializes in securities,

consumer, and commercial litigation. Prior to joining KGS in 2006, Ms. Miller was a partner at one of the nation's leading plaintiff class action firms. Ms. Miller also spent two years as a securities litigator on the defense side while at Gray Cary Ware & Friedenrich LLP in Palo Alto, California.

Over the course of her career, Ms. Miller has represented tens of thousands of wronged investors and consumers in class actions filed throughout the country. Among other cases, Ms. Miller has worked on more than 25 cases involving allegations of improper directed brokerage arrangements and excessive charges in mutual fund cases brought pursuant to the 1934 Securities Exchange Act and/or the Investment Company Act of 1940. Ms. Miller was also involved in the mutual funds late trading/market timing litigation.

Ms. Miller has been involved in a variety of cases in which large settlements were reached, including:

Settlement value of \$127.5 million *Spahn v. Edward D. Jones & Co., L.P.*, 04-cv-00086-HEA (E.D. Mo.)

\$110 Million Recovery. *In re StarLink Corn Products Liability Litigation*, MDL No. 1403 (N.D. Ill.)

\$100 Million Recovery. *In re American Express Financial Advisors, Inc. Sec. Litig.*, 1:04-cv-01773-DAB (S.D.N.Y.)

Ms. Miller was also a member of the trial team that obtained a federal jury verdict in favor of plaintiffs in a case involving the aiding and abetting of a mortgage company's fraudulent lending practices. *Austin v. Lehman Commercial Paper*, No. 04-55942 (DOC)(C.D. Cal.).

Ms. Miller graduated with honors from Stanford University in 1992 with a double major in English and Psychology. She earned her Juris Doctor degree from Cornell Law School, *cum laude*, in 1995. While at Cornell, Ms. Miller was the Co-Chair of the Women's Law Symposium, Bench Brief Editor of the Moot Court Board, and a member of the Board of Editors of the

Cornell Journal of Law & Public Policy. She is admitted to practice in the States of California and New York and before the United States District Courts for the Southern and Eastern Districts of New York and the Northern, Southern, and Central Districts of California. Her *pro bono* work includes representing families of 9/11 victims at *In re September 11 Victim Compensation Fund* hearings. Ms. Miller has also served as a fundraiser for the New York Legal Aid Society.

Kevin L. Oufnac

Kevin Oufnac joined Kahn Gauthier Swick, LLC in 2006. Prior to becoming a partner in KGS, Mr. Oufnac spent many years litigating cases throughout the United States with several of the nation's most recognized law firms, including Ness, Motley, Loadholt, Richardson, & Poole, PA; Richardson, Patrick, Westbrook & Brickman, LLC; and Motley Rice, LLC. In addition to individual cases, some of the litigations in which Mr. Oufnac has participated include *In re Community Bank of Northern Virginia and Guaranty National Bank of Tallahassee Second Mortgage Loan Litigation*, No. 03-0425 (W.D. Pa.) (which resulted in a settlement of \$33 million to the class members), and *Dundon v. U.S. Bank*, No. 01-408 (S.D. Ill.) (which resulted in a settlement of \$26 million to the class members).

Mr. Oufnac received his Juris Doctor in 1995 from the Loyola University School of Law, New Orleans. He is a member of the Louisiana State Bar Association, the South Carolina State Bar Association, and the Association of Trial Lawyers of America. Mr. Oufnac has also been admitted to the United States Court of Appeals for the Fourth Circuit and the United States District Courts for the Eastern District of Michigan, the Eastern District of Louisiana, and the District of South Carolina.

Michael A. Swick

Michael A. Swick heads KGS's Securities Litigation Group. Mr. Swick began his career

in the mid 1990's working at several of the nation's leading securities class action law firms.

Over the past decade, Mr. Swick has played a significant role in investigating corporate fraud, initiating litigations, and drafting amended complaints in cases involving the Securities Act of 1933 and the Securities Exchange Act of 1934.

Mr. Swick received a Juris Doctor from Tulane Law School in 1994. Mr. Swick received a Masters of Political Philosophy from Columbia University in 1989 and a B.A. in Philosophy and Political Science from State University of New York at Albany in 1988. Mr. Swick was admitted to the State Bar of New York in 1996 and is a member of the Federal Bar for the Southern District of New York.

Of Counsel

Charles C. Foti, Jr.

Charles C. Foti, Jr. served as the Attorney General for the state of Louisiana from 2004-2008, after serving for 30 years as one of the most innovative law enforcement officials in the United States as Orleans Parish Criminal Sheriff. Throughout his career, General Foti has remained committed to public service.

As Attorney General for the state of Louisiana, General Foti's achievements include:

** Recovered over \$24 million for Louisiana consumers in consumer fraud matters, \$8 million in anti-trust litigation, \$9.1 million for state employees through Office of Group Benefits, over \$2 million for auto complaints, over \$33 million in Medicaid Fraud.*

** Investigated and apprehended numerous contractor fraud criminals in the wake of the worst natural disaster in United States history, Hurricane Katrina.*

** Louisiana Internet Crimes Against Children Task Force doubled the number of arrests for crime against children.*

In his tenure as Orleans Parish Criminal Sheriff, General Foti oversaw the enormous expansion of the parish jail, growing from 800 prisoners in 1973 to more than 7,000 currently. As the prison expanded, so did the need for education and rehabilitation skills for prisoners. As

Sheriff, General Foti started the first reading and GED programs, work release programs, drug treatment programs and the nation's first boot camp at the local level, all to prepare prisoners for a future without crime. Administratively, General Foti managed a multi-million dollar budget and a complex organization of more than 1,400 employees.

General Foti has for many years been an advocate for the elderly. As Sheriff, he and a small army of volunteers provided Thanksgiving meals for senior citizens in the New Orleans area who were alone or couldn't afford a proper holiday feast. He started a back to work program for senior citizens that helps people over the age of 55 get back into the workforce.

General Foti received his Juris Doctor degree from Loyola University Law School in 1965, after serving his country in the United States Army from 1955 through 1958.

Glen Woods

Glen Woods joined Kahn Gauthier Swick, LLC as Of Counsel in 2006. Mr. Woods has tried over two hundred business and tort cases in Louisiana state and federal courts. Mr. Woods achieved a \$346 million verdict in 1997 in a breach of contract case against Entergy and a \$55 million verdict against ADP for its involvement in the New Orleans Fairgrounds fire years earlier. Mr. Woods began his legal career in 1985 as an Assistant District Attorney to Harry Connick Sr. and was appointed Special Prosecutor responsible for capital homicides. Mr. Woods is admitted to practice in all state courts in the State of Louisiana, the United States District Court for the Eastern District of Louisiana, and the United States Court of Appeals for the Fifth Circuit. Mr. Woods received his Juris Doctor from Southern University in 1984 and received a Bachelor of Arts in Sociology from the University of Southwestern Louisiana in 1979.

Associates

Paul S. Balanon

Paul Balanon's post-admission experience includes commercial litigation in such areas as marine insurance, contractual indemnity, products liability, toxic torts, regulatory and administrative law, Defense Base Act matters, and environmental law. In addition, he has handled immigration and nationality cases (including investment-based and treaty visas), contract drafting and transactional matters, and international trade issues.

Mr. Balanon received a B.A. cum laude in Political Science with a specialization in International Relations from UCLA (1999), a J.D. from American University (2003), and a Master of Laws in Admiralty with distinction from Tulane University Law School (2004).

While taking a full-time course of law study at the Washington College of Law at American University, Mr. Balanon worked for Judge David S. Tatel (U.S. Court of Appeals for the D.C. Circuit) and for the Washington Lawyers Committee. He was also a member of the Moot Court Honor Society, competed in the Delaware corporations moot court, and served as a student attorney for American University's legal clinic. To pursue more intensive studies in one of his areas of interest—shipping—Mr. Balanon enrolled as a Henry F. Stiles Scholar at Tulane Law School where he was a member of the Tulane Maritime Law Journal, which published his case note. He is the recipient of the Edward A. Dodd Prize for graduating first in the class in his year.

Mr. Balanon is admitted to practice in the State of Louisiana; the Eastern, Middle, and Western Districts of Louisiana; the U.S. Bankruptcy Court for the Eastern District of Louisiana; the U.S. Fifth Circuit; the State of Maryland; and Washington, D.C.

Sarah Catherine Boone

Sarah Catherine Boone holds a Bachelor of Arts in Philosophy from the University of Southern California and a Master of Fine Arts in Writing from the Master of Professional

Writing Program at USC. She received her Juris Doctor from Tulane Law School and was admitted to practice law in the State of Montana in 2007. She is a member of the Montana State Bar Association and she has been admitted to the United States District Court for the District of Montana. She is also a member of the American Bar Association and the Tulane Inns of Court.

Melissa Ryan Clark

Melissa Ryan Clark received her Juris Doctor from Tulane Law School in 2007. While at Tulane, Ms. Clark was president of her graduating class and of the Business Law Society, a chairperson for the Moot Court Board, and a Senior Fellow for Legal Research & Writing. In Fall 2006, Ms. Clark attended University of California – Berkeley where she received high honors in Securities & Class Action Litigation and was a Visiting Contributor to the *California Law Review*. She received her Bachelors of Science degree in International Affairs from Florida State University in 2004.

Ms. Clark's legal work experience includes clerking at the San Francisco District Attorney's Office and externing for the Honorable Chief Judge Jerry Brown in the United States Bankruptcy Court, Eastern District of Louisiana and the Honorable Jay C. Zainey in the Eastern District of Louisiana. She is a member of the New York State Bar Association, the American Bar Association, and the American Inns of Courts. Ms. Clark was admitted to the New York Bar in 2008.

Catherine R. Gauthier

Catherine R. Gauthier holds a Bachelor of Arts degree from the University of Louisiana at Lafayette, having graduated *magna cum laude* in 2000. She received a Juris Doctor from Loyola University School of Law, New Orleans and was admitted to practice law in the State of Louisiana in 2005. She is a member of the Louisiana State Bar Association, the American Bar

Association, and the American Association of Trial Lawyers.

George S. Mentz

George Mentz is licensed to practice law in Louisiana and the Federal Courts of the EDLA and is a member of the Tax, Trusts & Estates & International Law Sections of the Bar. Mr. Mentz is chiefly a consultant and professor in the areas of ethics, consumer and victims rights, international law, business law, and financial law. Mr. Mentz has recently been featured or quoted in the Wall Street Journal, Financial Times Asia, China Daily, The Arab Times, The Hindu National (India), and The El Norte Mexico Newspapers. Mr. Mentz has written and published in multiple venues around the world in Radio, TV, magazines, web-casts, and journals and has published over 22 books and training manuals.

Professor Mentz serves on several boards and advisory committees in the US, Europe, and Asia. Mr. Mentz has a JD, MBA, certified financial consultant credential and financial planner license. Mr. Mentz has provided specialized consulting over the years as to valuation and quantum damages and has testified and been accepted as an expert in NASD securities arbitration hearings. Mr. Mentz was recently appointed to the Institutional Advisory Board of the Global Finance Forum in Switzerland, the ERISA Fiduciary Guild Advisory Board, and the AML Anti Money Laundering Committee for ICA USA, and was recently re-elected to the Financial Training and Ethics Board for AAFM Worldwide for 2007. Prof. Mentz has trained thousands of people in the areas of law, finance, ethics, tax, corporate governance, investments, and wealth management, and has taught over 100 law, business, and ethics courses at the graduate and undergraduate level over the last ten years.

Mr. Mentz earned his Juris Doctor from Loyola University School of Law, New Orleans. Mr. Mentz was Chairman and Faculty Advisor for the Tax and Estate Planning Law Review at

Loyola University. Further, Mr. Mentz holds an MBA in International Business and Financial Planning from Loyola, as well as a BA with a focus on International Politics.